

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JUNE 28, 2001**

PRESENT: John R. Byers, Mount Vernon District
 Janet R. Hall, Mason District
 Suzanne F. Harsel, Braddock District
 John B. Kelso, Lee District
 Ronald W. Koch, Sully District
 Ilryong Moon, Commissioner At-Large
 Peter F. Murphy, Jr., Springfield District
 John M. Palatiello, Hunter Mill District
 Linda Q. Smyth, Providence District
 Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large
 Joan M. DuBois, Dranesville District

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON RZ-2000-MD-062, TAVARES CONCRETE COMPANY, BE DEFERRED TO A DATE CERTAIN OF JULY 12, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Alcorn and DuBois absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ/FDP-2001-PR-064, S&R DEVELOPMENT INC., BE FURTHER DEFERRED TO A DATE CERTAIN OF JULY 19, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and DuBois absent from the meeting.

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Commissioner Harsel announced that the Housing Committee would meet on Wednesday, July 11, 2001, at 7:30 p.m., and the Residential Density Criteria Review Committee would meet on Thursday, July 12, 2001 at 6:30 p.m. in the Board Conference Room.

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Commissioner Wilson announced that the Lorton field trip would take place on Saturday, July 21, 2001. She said further details would be forthcoming.

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FS-P01-29 - NEXTEL - 7707 Shreve Road

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC., FOR THE EXISTING DOMINION VIRGINIA POWER TOWER LOCATED AT 7707 SHREVE ROAD, IDYLWOOD SUBSTATION, AND AS AMENDED BY THE ATTACHED REPORT ADDENDUM, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and DuBois absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. S00-CW-1CP - OUT-OF-TURN PLAN AMENDMENT
2. S99-III-BR1 - OUT-OF-TURN PLAN AMENDMENT
3. RZ-2001-MV-006/FDP-2001-MV-006 - HUNTINGTON STATION LLC
PCA-92-V-032-2 - LCOR/JV ACQUISITION L.L.C. AND HUNTINGTON
STATION LLC
SEA-88-V-025 - HUNTINGTON STATION LLC
4. RZ-2001-MV-002/FDP 2001-MV-002 - TELEGRAPH I LLC

This order was accepted without objection.

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S00-CW-1CP - OUT-OF-TURN PLAN AMENDMENT - To consider proposed revisions to the Adopted Comprehensive Plan in accordance

w/the Code of Virginia, Title 15.2, Chap. 22, concerning the Engineer Proving Ground, which is located N. of Fullerton Road, S. of the Franconia-Springfield Pkwy., E. of Rolling Road and W. of I-95. The Accotink Stream Valley bisects the subject area. The amendment considers changes to the Comprehensive Plan option for mixed-use development. The recommendations under consideration include reducing overall intensity from a FAR of .49 to .17; concentrating development E. of the stream valley; and dedicating the area W. of the stream valley for public uses such as park and school sites. Recommended mixed-use development includes office, research and development, hotel, support retail and residential uses at intensities up to 2.0 FAR in designated node areas. Changes to the Transportation Plan will also be considered.

PUBLIC HEARING.

Ms. Marianne Gardner, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of the Engineering Proving Ground (EPG) Task Force recommendation as shown in Attachment 2 of the staff report.

Mr. Jak Pedak, Department of Transportation, responded to questions from Commissioner Palatiello about Plan recommendations for future mass transit in the area. Commissioner Palatiello then expressed concern about reducing transit planning in the I-95 corridor. Chairman Murphy pointed out that the U. S. Army had been the driving force in the initial Plan Amendment for the EPG, but because their involvement was now negligible, funding for infrastructure amenities was not available. Mr. Pedak added that the original plan had been predicated on the Army extending the Fairfax County Parkway along the site as well as the construction of a people mover, but that those commitments were no longer valid.

Mr. Pedak responded to a question from Commissioner Harsel about access to the development recommended in the proposed Plan amendment.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Mr. Neal McBride, 8105 Winter Blue Court, Springfield, representing the Newington Forest Community Association, the South Run Coalition, and the South County Schools Alliance, expressed support for the proposed Plan Amendment. He requested assurance that the County would monitor the progress of the Plan's actual development in order to mitigate negative impacts on schools and transportation, and suggested language be added to this effect.

Mr. Lon Caldwell, 8609 Old Keene Mill Road, Springfield, an at-large member of the EPG Task Force and a member of the West Springfield Civic Association, expressed support for the Task Force recommendations. He distributed a newspaper clipping from the *Springfield Times* of

April 19, 2001, concerning the proposed Plan Amendment. (A copy of the article is in the date file.)

Mr. Greg Evans, 8400 Oakford Drive, Springfield, a member of the EPG Task Force, and representing the West Springfield Civic Association, expressed support for the proposed amendment. (A copy of his remarks is in the date file.)

Mr. John Pratt, 6713 Harwood Place, Springfield, Chairman, Springfield District Council, expressed support for the proposed amendment.

Commissioner Byers recalled Mr. McBride to the podium and asked him what language he would like to see added about schools. Mr. McBride read the following: "The public educational facilities and services needed to serve the residential land units of the project, as determined pursuant to the results of a Fairfax County Public Schools Student Accommodations Development Study, shall be provided on or off site prior to or concurrent with the initial occupancy of the residential units." Commissioner Byers said he was concerned that if such language were added and the School Board subsequently decided their priorities lay elsewhere, development could be stopped. Commissioner Kelso said he was opposed to including this language and said that there were other ways to address this issue.

Mr. Gregory Budnick, 8309 Telegraph Road, Newington, President, Newington Civic Association, suggested language be added addressing the traffic problems on Newington Road.

There were no further speakers. Chairman Murphy called upon staff for closing comments. Ms. Gardner said that staff concurred with the recommendations of the Task Force with the revisions distributed by staff last night.

There were no further comments or questions from the Commission, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Kelso MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF S00-CW-1CP, AS CONTAINED IN THE STAFF REPORT DATED JUNE 14, 2001 AND AMENDED BY THE DRAFT REVISIONS DISTRIBUTED LAST NIGHT DATED JUNE 28, 2001, WITH A MINOR CORRECTION OF REMOVING THE PERIOD AT THE END OF THE FOURTH LINE FOLLOWING THE WORD "DEVELOPED."

Commissioner Byers seconded the motion which carried by a vote of 9-1 with Commissioner Palatiello opposed; Commissioners Alcorn and DuBois absent from the meeting.

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S99-III-BR1 - OUT-OF-TURN PLAN AMENDMENT - To consider proposed revisions to the Adopted Comprehensive Plan in accordance w/the Code of Virginia, Chap. 22 concerning approx. 2 acres located on the S. side of Lee-Jackson Memorial Hwy. (Rt. 50) directly E. of Chantilly Rd. (Tax Map 34-4((1))57A, 58, 59, and 60D). The area is planned for retail use up to .25 FAR w/a condition that the historic Mitchell-Weeks House is preserved on site. The Plan Amendment will consider adding an option for office use up to .35 FAR for parcels 34-4((1))58, 59, and 60D and modifying the preservation condition to allow the Mitchell-Weeks house to be relocated & preserved off site. SULLY DISTRICT. PUBLIC HEARING.

Mr. Bruce Kriviskey, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the proposed amendment as shown on page 5 of the staff report.

In response to a question from Commissioner Koch, Mr. Kriviskey said that although the Mitchell-Weeks house might not be structurally sound, in his opinion, it had an adaptive use potential.

Chairman Murphy called for speakers from the audience.

William Simon, Esquire, representing the owner of the subject property, C. W. Cobb and Associates, expressed support for the proposed amendment which permitted the house to remain on the property and be redeveloped or to be removed.

Commissioner Koch requested that Mr. Simon appear before the West Fairfax County Citizens Association on July 17, 2001 to discuss the proposal.

There were no further speakers. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this item. (A verbatim transcript is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF PLAN AMENDMENT S99-III-BR1.

Commissioners Hall and Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Alcorn and DuBois absent from the meeting.

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RZ/FDP-2001-MV-006 - HUNTINGTON STATION LLC - Appls. to rezone from C-3 to PDH-16 to permit residential development at a density of du/ac and approval of the conceptual and final development plans on property generally located on the N. side of Huntington Ave., approx. 200 ft. E. of Metroview Pkwy. on approx. 3.63 ac. Comp. Plan Rec: Office w/option for residential Tax Map 83-1((1))53B. (Concurrent w/PCA-92-V-032-2 and SEA 88-V-025.) MT. VERNON DISTRICT.

PCA-92-V-032-2 - LCOR/JV ACQUISITION LLC AND HUNTINGTON STATION LLC - Appl. to amend the proffers for RZ-92-V-032 previously approved for office development at an FAR of .66 in order to delete land area on property generally located in the N.E. quadrant of Huntington Ave. and Metroview Pkwy. on approx. 7.06 ac. zoned C-3. Comp. Plan Rec: Office w/option for residential Tax Map 83-1((1))53A and 53B. (Concurrent w/SEA-88-V-025 and RZ/FDP-2001-MV-006.) MT. VERNON DISTRICT.

SEA-88-V-025 - HUNTINGTON STATION LLC - Appl. under Sect. 2-904 of the Zoning Ord. to amend SE-88-V-025 previously approved for uses in a floodplain to permit additional fill on property located at 2414 Huntington Ave. on approx. 3.63 ac. zoned PDH-16. Tax Map 83-1((1))53B. (Concurrent w/PCA-92-V-032-2 & RZ/FDP-2001-MV-006.) MT. VERNON DISTRICT. JOINT PUBLIC HEARING.

Timothy Sampson, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated May 30, 2001. There were no disclosures by Commission members.

Ms. Cathy Belgin, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to a question from Commissioner Byers, Ms. Belgin said proposed changes to the proffers regarding fence height and the absence of a gate at the sidewalk entrance, would be addressed by the applicant.

Mr. Sampson stated that the subject property, located in the Huntington Transit Station area, was being proposed for residential development of 48 single family attached dwelling units at a

density of 13.24 dwelling units per acre. He said that the applicant had made a number of changes to the proposal in response to concerns of citizens, resulting in a well-conceived development plan for an under-utilized site located directly across from the Metro station. He explained that the development would provide an appropriate transition to higher density development proposed to the west of the site, with significant open space, tree preservation and buffering. Mr. Sampson said that the applicant would like to revise the proffers to state that the height of the fence along Huntington Avenue would be a maximum of four feet with an opening that would allow access to the Huntington Metro.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no questions or comments from the Commission and no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Byers MOVED THAT THE DECISION ONLY ON PCA-92-V-032-2, RZ/FDP-2001-MV-006, AND SEA-88-V-025 BE DEFERRED TO A DATE CERTAIN OF JULY 11, 2001, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and DuBois absent from the meeting.

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RZ/FDP 2001-MV-002 - TELEGRAPH I LLC - Appls. to rezone from R-1 to PDH-2 to permit residential development at a density of 1.83 du/ac and approval of the conceptual and final development plans on property located on the W. side of Telegraph Rd., approx. 400 ft. N. of its intersection w/Newington Rd. on approx. 23.52 ac. Comp. Plan Rec: 1-2 du/ac. Tax Map 99-2((1))36. MT. VERNON DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated June 15, 2001. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the applications because the proposed site design and density were not compatible with the marine clay areas located on the steep slopes of the property and therefore were not in conformance with the Comprehensive Plan.

Ms. Lewis responded to questions from Commissioner Harsel about the location of proposed sideyard fences and retaining walls, and from Commissioner Smyth about the slope of the property and how it would drain.

Ms. Strobel stated that the applicant desired to rezone the subject property to the PDH District which would result in more usable open space and a more environmentally sensitive design. She acknowledged that problem soils existed on the subject property and said a reduction in the number of dwelling units and limits of clearing and grading, along with a very comprehensive proffer package, addressed this issue. She added that heightened erosion and sedimentation control measures, a contribution for affordable housing, and design features including a well landscaped stone or masonry entrance feature and brick or masonry fronts would ensure the quality of the development. She said no waivers or modifications were being requested and that the natural features of the site, including wetlands and trees, would be preserved. She explained that the applicant had retained the services of Geotechnical Consulting and Testing, Inc. and that a letter had been submitted from them which specifically addressed the concerns raised in the staff report about marine clay and steep slopes located on the site. (A copy of this letter is in the date file.) She said proffers required a formal geotechnical review at the time of subdivision, and that the site plan would be returned to the Planning Commission prior to final approval. Ms. Strobel said with the independent research and the proffers, the applicant believed that soil issues had been thoroughly addressed and that the property could be developed as proposed. She said the applications had the support of the Newington Civic Association, the nearby Landsdowne community, and that the Mount Vernon Council had no opposition to it. She requested favorable consideration.

In response to a question from Commissioner Byers, Ms. Lewis said staff felt, in view of the Comprehensive Plan language, that the natural features of the site should be preserved, rather than being engineered to fit a certain layout.

Ms. Strobel responded to questions from Commissioner Wilson about the possibility of adjustments to lot lines and the tree preservation plan. She responded to questions from Commissioner Harsel about development on the steep slopes and the proffered monetary contribution to schools.

Commissioner Smyth commented that the Residential Development Criteria Review Committee shared the same concern of staff about development respecting the natural characteristics of land.

Responding to a question from Commissioner Byers, Ms. Lewis said the only problem encountered by similar development on nearby property concerned uncontrolled fill.

Chairman Murphy called for speakers from the audience.

Mr. Gregory Budnick, President, Newington Civic Association, 8309 Telegraph Road, Newington, expressed support for the application and commended the applicant for the extensive proffer commitments.

Mr. Paul Trupo, 8090 Sky Blue Drive, Alexandria, said he was opposed to the proposed development because it would have a negative impact on the environment.

Mr. Connie Slade, 6619 Sky Blue Court, Alexandria, said he agreed with Mr. Trupo's position and expressed concern that the development would cause the clay soil to slide down a steep slope near his property. He said that he had not been aware of any meetings the applicant had held with the Landsdowne community.

Commissioner Byers said that he had received a telephone call last night from Ms. Catherine Thorsen, 8601 Accotink Road, Lorton, who said she supported the proposed development.

There were no further speakers. Chairman Murphy called upon Ms. Strobel for a rebuttal statement.

Ms. Strobel said that since a portion of the Landsdowne community was located in the Lee District, she had contacted the Lee District Supervisor's Office for the name of the Landsdowne homeowners association which was run by a management company. She said she had contacted the management company to set up a meeting and apologized to the citizens if they did not get notified.

In response to a question from Commissioner Wilson, Ms. Strobel said that the applicant had not felt it necessary to provide insurance for homeowners in the event they had problems with their foundations due to soil conditions. She added that although insurance had been proffered by the applicant for similar development in the area, the subject development was not felt to be as challenging. Commissioner Byers said that this issue was addressed in Proffer No. 11e. which said the "Applicant shall repair and stabilize any portion of contiguous off-site properties that may be damaged as a direct and proximate result of the applicant's faulty and/or negligent grading or construction activity."

Responding to another issue raised by Commissioner Wilson, Ms. Lewis suggested Proffer 11c. be amended to add the words "and as amended by the tree preservation plan" after the words "as shown on the CDP/FDP....". Ms. Strobel agreed with adding this language.

There were no further comments or questions from the Commission. Staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ-2001-MV-002 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS DATED JUNE 27, 2001, AS AMENDED TONIGHT.

Commissioner Kelso seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Smyth abstaining; Commissioners Alcorn and DuBois absent from the meeting.

Commissioner Byers MOVED THE PLANNING COMMISSION APPROVE FDP-2001-MV-002, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND THE CDP.

Commissioner Kelso seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Smyth abstaining; Commissioners Alcorn and DuBois absent from the meeting.

Commissioner Byers MOVED THE PLANNING COMMISSION RECOMMEND THE BOARD WAIVE THE LIMITATION ON FENCE HEIGHT TO PERMIT AN EIGHT FOOT FENCE, ARCHITECTURALLY SOLID PRIVACY FENCE, AS SHOWN ON THE CDP AND THE FINAL DEVELOPMENT PLAN.

Commissioner Kelso seconded the motion which carried by a vote of 8-1-1 with Commissioner Harsel opposed; Commissioner Smyth abstaining; Commissioners Alcorn and DuBois absent from the meeting.

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The meeting was adjourned at 10:37 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: February 13, 2003

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission